

**BLAKELY  
SOKOLOFF  
TAYLOR &  
ZAFMAN**A LIMITED LIABILITY  
PARTNERSHIP INCLUDING  
LAW CORPORATIONS1279 OAKMEAD PARKWAY  
SUNNYVALE, CALIFORNIA 94085  
(408) 720-8300 (Telephone)  
(408) 720-8383 (Facsimile)RECEIVED  
CENTRAL FAX CENTER  
JAN 03 2005**FACSIMILE TRANSMITTAL SHEET**

Deliver to: Examiner Angel L. Casiano, Art Unit 2182  
Firm Name: U.S. Patent & Trademark Office  
Fax Number: 703-746-7238  
From: Anne Collette  
Date: January 3, 2005  
App. No.: 10/823,611  
No. of pages: 4 (Including cover sheet)  
Client/Matter: 42390.P10732 Docket Date: N/A Atty: BDB

Dear Examiner:

Please find the following document(s) attached:

- 1) Fax Cover Sheet with Certificate of Mailing dated July 2, 2004 (1 page)
- 2) Request for Continued Examination (1 page)
- 3) Auto-Reply Facsimile Transmission (1 page)

Thank you.

CERTIFICATE OF TRANSMISSION	
I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.	
By: <u>Anne Collette</u> Anne Collette	Date: <u>January 3, 2005</u>

**CONFIDENTIALITY NOTE****BEST AVAILABLE COPY**

The documents accompanying this facsimile transmission contain information from the law firm of Blakely Sokoloff Taylor & Zafman that is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution, or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

**IF YOU EXPERIENCE ANY DIFFICULTY IN RECEIVING THE ABOVE PAGES,  
PLEASE CALL (408) 720-8300 AND ASK FOR THE OPERATOR NAMED ABOVE.**

**BLAKELY  
SOKOLOFF  
TAYLOR &  
ZAFMAN**A LIMITED LIABILITY  
PARTNERSHIP INCLUDING  
LAW CORPORATIONS1279 OAKMEAD PARKWAY  
SUNNYVALE, CALIFORNIA 94085  
(408) 720-8300 (Telephone)  
(408) 720-8383 (Facsimile)CENTRAL FAX CENTER  
JAN 03 2005**FACSIMILE TRANSMITTAL SHEET**

Deliver to: Examiner Angel L. Casiano, Art Unit 2182  
Firm Name: U.S. Patent & Trademark Office  
Fax Number: 703-746-7238  
From: John P. Ward Operator: Anne Collette  
Date: July 2, 2004  
App. No.: 10/823,611  
No. of pages: 2 (Including cover sheet)  
Client/Matter: 42390.P10732 Docket Date: 7/6/2004 Atty: BDB

Dear Examiner:

Please find the following document(s) attached:

- 1) Request for Continued Examination (1 page)

Thank you.

**CERTIFICATE OF TRANSMISSION**

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

By: Anne Collette  
Anne ColletteDate: July 2, 2004**CONFIDENTIALITY NOTE**

The documents accompanying this facsimile transmission contain information from the law firm of Blakely Sokoloff Taylor & Zafman that is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution, or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

**IF YOU EXPERIENCE ANY DIFFICULTY IN RECEIVING THE ABOVE PAGES,  
PLEASE CALL (408) 720-8300 AND ASK FOR THE OPERATOR NAMED ABOVE.**

PTO/SB/30 (08-03)

Approved for use through 07/31/2006. OMB 0851-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

# Request For Continued Examination (RCE) Transmittal

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	10/823,611
Filing Date	March 30, 2001
First Named Inventor	Gregory L. Miller
Art Unit	2182
Examiner Name	Angel L. Casiano
Attorney Docket Number	42P10732

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- ii. ☒ Other Please consider the amendment previously filed on June 7, 2004.
- b. ☐ Enclosed
- i. ☐ Amendment/Reply
- iii. ☐ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s) Declaration(s)
- iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.102(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

- The RCE fee under 37 CFR 1.17(a) is required by 37 CFR 1.114 when the RCE is filed.
- The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-2666
- a. ☒ RCE fee required under 37 CFR 1.17(a)
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☒ Other \_\_\_\_\_ any additional fees that may be required
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	John Patrick Ward	Registration No. (Attorney/Agent)	40,216
Signature	<i>[Signature]</i>	Date	July 2, 2004

### CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Anne Collette	Date	July 2, 2004
Signature	<i>[Signature]</i>		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



## Auto-Reply Facsimile Transmission

TO: Fax Sender at 4087208381

Fax Information  
Date Received:  
Total Pages:

7/2/2004 7:53:44 PM [Eastern Daylight Time]  
2 (including cover page)

**ADVISORY:** This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 308 et seq.

Received  
Cover  
Page  
=====>

01/03/05 MON 12:51 FAX 4087208381	USPTO	7/2/2004 7:56 PM	PAGE 1/001
-----------------------------------	-------	------------------	------------

  

<b>BLAKELY</b>	1279 OAKMEAD PARKWAY
<b>SOKOLOFF</b>	SUNNYVALE, CALIFORNIA 94085
<b>TAYLOR &amp; ZAFMAN</b>	(408) 720-8300 (Telephone)
<b>A LIMITED LIABILITY PARTNERSHIP INCLUDING LAW CORPORATION</b>	(408) 720-8381 (Facsimile)

**FACSIMILE TRANSMITTAL SHEET**

Delivered to:	Examines Angel L. Castano, Art Unit 8182
Firm Name:	U.S. Patent & Trademark Office
Fax Number:	720-748-7238
From:	John P. Ward Operator: Anna Callette
Date:	July 2, 2004
App. No.:	10823611
No. of pages:	2 (including this sheet)
Class/Identifier:	4330.01733 DocId: 7/2/2004 Atty: BDR

Dear Examiner:

Please find the following document(s) attached:

- 1) Request for Continued Examination (1 page)

Thank you.

**CERTIFICATE OF TRANSMISSION**

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on the date stated below.

By: Anna Callette Date: July 2, 2004  
New Orleans

**CONFIDENTIALITY NOTE**

The documents accompanying this facsimile transmission contain information from the law firm of Blakely Sokoloff Taylor & Zafman that is confidential or privileged. The information is intended to be for the use of individual or entity named on this transmission sheet. If you are not the intended recipient, do not make that any disclosure, copying, distribution, or use of the contents of this facsimile information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

**IF YOU EXPERIENCE ANY DIFFICULTY IN RECEIVING THE ABOVE PAGES, PLEASE CALL (408) 720-8300 AND ASK FOR THE OPERATOR NAMED ABOVE.**

PAGE 1/001 FAX 4087208381 FAX 7/2/2004 7:56 PM

**This Page is Inserted by IFW Indexing and Scanning  
Operations and is not part of the Official Record**

**BEST AVAILABLE IMAGES**

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☐ **BLACK BORDERS**
- ☐ **IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- ☐ **FADED TEXT OR DRAWING**
- ☐ **BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- ☐ **SKEWED/SLANTED IMAGES**
- ☐ **COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- ☐ **GRAY SCALE DOCUMENTS**
- ☐ **LINE OR MARKS ON ORIGINAL DOCUMENT**
- ☐ **REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- ☐ **OTHER:** \_\_\_\_\_

**IMAGES ARE BEST AVAILABLE COPY.**

**As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.**